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U.S. DISTRICT COURT

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

**In Re DMCA Subpoena to PONYNET, US**

Case No. 2:22-mc-00598

Nexon's Request to the Clerk for Issuance of  
a Subpoena to PONYNET, US, Pursuant to  
17 U.S.C. § 512(h) to Identify Alleged  
Infringer

Petitioner, Nexon America Inc. and Nexon Korea Corporation (hereinafter "Nexon"), through its undersigned counsel of record, hereby requests that the Clerk of this Court issue a subpoena to PONYNET, US, to identify alleged infringers at issue, pursuant to the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512(h) (hereinafter the "DMCA Subpoena").

The DMCA Subpoena is directed to PONYNET, US, the Internet service provider of AmherstMS.net.

The content available at AmherstMS.NET infringes a copyright held by Nexon.

Nexon has satisfied the requirements for issuance of a subpoena pursuant to 17 U.S.C. § 512(h), namely:

1. Nexon hereby submits as Exhibit A, a copy of the notification sent pursuant to 17 U.S.C. § 512(c)(3)(A);

2. Nexon hereby submits as Exhibit B, the proposed DMCA subpoena; and
3. Nexon, through its counsel of record, hereby submits as Exhibit C, a sworn declaration confirming that the purpose for which the DMCA subpoena is sought is to obtain the identity of an alleged infringer or infringers, and that such information will only be used for the purpose of protecting Nexon's rights under Title 17 U.S.C. §§ 101, et. Seq.

Having complied with the statutory requirements, Nexon respectfully requests that the Clerk expeditiously issue and sign the proposed DMCA Subpoena pursuant to 17 U.S.C. § 512(h)(4).

Dated: September 13, 2022

Respectfully submitted,

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By: /s/ Jared L. Cherry  
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